

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BADEN SPORTS, INC.,

Plaintiff,

v.

KABUSHIKI KAISHA MOLTEN (DBA
MOLTEN CORPORATION) AND MOLTEN
U.S.A., INC.,

Defendants.

No. C06-210P

ORDER GRANTING MOTION TO
COMPEL

This matter comes before the Court on Plaintiff Baden's motion to compel Defendants Molten USA and Molten Corporation ("Molten") to provide full and complete answers and responses to Plaintiff's Interrogatory No. 1(a) in Baden's first set of interrogatories. (Dkt. Nos. 125 & 128.) Having considered the parties' briefs, and all documents submitted in support thereof, the Court GRANTS Baden's motion to compel.

Baden's Interrogatory No. 1(a) asks for the number of sales of basketballs worldwide for each year from 2000 to present for each basketball model sold by Defendants. In response to Baden's motion to compel responses to that interrogatory, Molten filed a "Withdrawal of Defendants Opposition to Plaintiff's Motion to Compel." (Dkt. No. 136.) Molten then provided world-wide sales figures for basketballs that employ the "dual cushion technology." But Baden also seeks sales figures for basketballs that employ a "new" technology used by Molten since June 2006. Baden claims that this "new" technology also infringes its '835 patent. These sales figures are relevant to Baden's claims. (See Baden's Reply to Molten's Answer and Counterclaims, Dkt. No. 131.)

1 Defendants are therefore ordered to supplement their response to Interrogatory 1(a) by
2 providing sales figures for basketballs employing the “new” technology. They must provide Baden
3 with the supplemented responses within seven (7) calendar days of this order.

4 The clerk is directed to send copies of this order to all counsel of record.

5 Dated: April 18th, 2007.

6
7 

8 Marsha J. Pechman
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26